

CES Environmental owns the facility located at 4904 Griggs Road, Houston. CES began operations at this location during 2002. The facility operated as a receiver, transfer facility, transporter (Hazardous, Class 1 & 2 wastes) and a hazardous waste generator; received a state nonhazardous industrial solid waste permit (issued in 2004); had several units with air authorizations; and also had a City of Houston Pre-treatment permit. The facility operations included washing of containers, oil processing, bulking and storage of nonhazardous wastes prior to off-site shipment, and tire shredding.

The TCEQ has conducted 19 separate investigations at this facility, encompassing all three media (Air/Water/Waste), between 2004 and 2014. Most recently, emergency response actions were initiated in 2014. The investigations resulted in three notices of violation letters (NOVs) and five referrals for formal enforcement action between January 2009 and September 2010. The referrals were developed into one enforcement case, TCEQ case number 37096, and ultimately referred to the OAG, number 093137081. The action resulted in a Court Order, District Docket Number D-1-GV-09-001952 (attached), which became effective March 13, 2014.

In mid-2009, the EPA implemented a criminal search warrant for the CES facility in Houston and the PACES facility in Port Arthur after numerous accidents and an employee death at PACES. The company owner was convicted on the charges in October 2013.

CES declared bankruptcy in August of 2010 and subsequently ceased operations at the site. As part of the bankruptcy process, a trustee was to use the bankruptcy estate's funds to start remediation on the property. Some advances toward remediation were made by the trustee; however, due to releases from the tanks and containers on-site in late July 2014, a joint effort by the EPA and TCEQ initiated site stabilization activities. Both the EPA and the TCEQ continue to be engaged at the site. The TCEQ's current role is primarily the oversight of waste transportation and disposal.